



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/384,082 08/26/99 OTOMO

F 016910/0451

FOLEY & LARDNER
3000 K STREET NW
SUITE 500
P O BOX 25696
WASHINGTON DC 20007-8696

IM62/1106

EXAMINER

RIDLEY, B

ART UNIT

PAPER NUMBER

1764

DATE MAILED:

11/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary

Application No.

09/384,082

Applicant(s)

OTOMO ET AL.

Examiner

Basia Ridley

Art Unit

1764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 16-32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-15 in Paper No. 8 is acknowledged. Claims 16-32 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Specification

2. The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication, is improper (reference to "Japanese Patent Application No. PH10-143505, P23/L30-32). Applicant is required to amend the disclosure to include the material incorporated by reference. The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. See *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); and *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).
3. The disclosure is objected to because of the inconsistent numbering of elements through out the specification. For example:
 - "generator 15" (P2/L30) and "alternator 15" (P3/L4);
 - "coal gasifier 27" (P9/L16) and "coal gasifier 7" (P9/L17);
 - "cooling steam recovery system 43" (P11/L23) and "cooling steam supply system 43" (P12/L10);
 - "condenser 39" (P10/L29), "gas turbine 39" (P16/L27) and "gas turbine 34" (P12/L26);

Art Unit: 1764

- “cooling air supply system 47” (P16/L6), “cooling air supply system 42” (P18/L32) and “cooling steam supply system 42” (P18/L11);
- “cooling air supply system 47” (P16/L6), “cooling air supply system 48” (P19/L10 & P19/L14-15) and “cooling air recovery system 48” (P18/L33).

Appropriate correction is required.

4. The disclosure is objected to because it is not clear to examiner why multiple reference numbers through out the specification are enclosed in parenthesis (e.g. P1/L27-28, P16/L25-31, P17/L1-2, etc.). Additionally, it is not clear to the examiner how the reference numbers (1) through (4), as recited on P1/L27-28 are related to list of modifications of embodiments (1) through (4) as recited on P8/L9-P9/L3.

Drawings

5. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

6. Figure 16 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated, as set forth on P1/L24-26 of specification. See MPEP § 608.02(g).

7. The drawings are objected to because they include following labels:

- foreign characters in Fig. 4 (re. element 30);
- foreign characters in Fig. 6 (re. element 52).

Correction is required.

8. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

- “45” in Fig. 4-8;
- “55” in Fig. 8.

Correction is required. No new matter shall be added.

9. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "23" in Fig. 9 has been used to designate both, an exhaust heat recovery system and an element within said system. Correction is required.

10. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claim(s) 1-15 is/are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant(s) regard(s) as the invention.

Claim(s) 1 recite(s) the limitation(s) "is adapted to supply", line(s) 9. The recitation(s) "adapted to perform a function" is/are not a positive limitation(s) but only requires the adaptability to so perform. Such recitation does not constitute a limitation in any patentable sense.

Claim(s) 1 recite(s) the limitation(s) "the steam", line(s) 10. There is insufficient antecedent basis for said limitation(s) in the claim(s).

Claim(s) 1 recite(s) the limitation(s) "the temperature", line(s) 15. There is insufficient antecedent basis for said limitation(s) in the claim(s).

Claim(s) 1 recite(s) the limitation(s) "said steam", line(s) 15. There is insufficient antecedent basis for said limitation(s) in the claim(s), as different steams are recited prior to said limitation(s)

Art Unit: 1764

(e.g. steam generated in the heat exchange in heat recovery system in line(s) 10, steam condensed into water in a condenser in line(s) 12 and steam generated in a heat exchanger in line(s) 13).

Claim(s) 1 recite(s) the limitation(s) “(high-temperature section)”, line(s) 15-16. Said limitation(s) render(s) said claim(s) indefinite, as it is not clear what other limitation(s) is/are high-temperature section referring to. Is the high-temperature section a part of the integrated coal gasification combined cycle power generator as recited in claim 1? And what is the cooperative relationship between said high-temperature section and other components of said power generator?

The term(s) “high-temperature” and/or “high temperature” and/or “higher-temperature” in claim(s) 1-3, 7, 10-11 and 14-15 is/are relative term(s) which render(s) said claim(s) indefinite. The term “high” is not defined by the claim(s), the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. How high should the various recited temperatures be to read on the instant invention?

Claim(s) 2 and 10 recite(s) the limitation(s) “said steam”, line(s) 2 and 3. There is insufficient antecedent basis for said limitation(s) in the claim(s), as different steams are recited prior to said limitation(s) (e.g. in claim 1, steam generated in the heat exchange in heat recovery system in line(s) 10, steam condensed into water in a condenser in line(s) 12 and steam generated in a heat exchanger in line(s) 13).

Claim(s) 2-3 and 10-11 recite(s) the limitation(s) “said high-temperature section”, throughout the claim(s). There is insufficient antecedent basis for said limitation(s) in the claim(s) as high-temperature section is not positively recited prior to said limitation(s).

Claim(s) 4 and 12 recite(s) the limitation(s) “being adapted to supply”, line(s) 3 and “is adapted to receive”, line(s) 5. The recitation(s) “adapted to perform a function” is/are not a positive

Art Unit: 1764

limitation(s) but only requires the adaptability to so perform. Such recitation does not constitute a limitation in any patentable sense.

Claim(s) 4 and 12 recite(s) the limitation(s) "said combustible gas", throughout the claim(s). There is insufficient antecedent basis for said limitation(s) in the claim(s) as combustible gas recited prior to said limitation(s) is supplied to a gas turbine (see claim 1 line(s) 5-6) and not to a cooling unit and/or a cleanup unit as recited in claim(s) 4.

Claim(s) 6 recite(s) the limitation(s) "said combustible gas", line(s) 3. There is insufficient antecedent basis for said limitation(s) in the claim(s) as combustible gas recited prior to said limitation(s) is supplied to a gas turbine (see claim 1 line(s) 5-6) and not to a gas turbine combustor as recited in claim(s) 6.

Claim(s) 6 recite(s) the limitation(s) "said nitrogen gas", line(s) 2-3. There is insufficient antecedent basis for said limitation(s) in the claim(s) as different nitrogen gases are recited prior to said limitation(s) (e.g. nitrogen gas employed in coal supplying unit (line 2 of claim 5) and nitrogen gas supplied to gas turbine combustor (line(s) 1 of claim 6).

Claim(s) 7 recite(s) the limitation(s) "said high-temperature section", line(s) 3 and 5-6. There is insufficient antecedent basis for said limitation(s) in the claim(s) as different high-temperature sections are recited prior to said limitation(s) (e.g. line 2 of claim 3 and line(s) 2 of claim 7). Suggested correction is --said at least one high-temperature section--.

Claim(s) 8-9 recite(s) the limitation(s) "the flow rate", line(s) 4. There is insufficient antecedent basis for said limitation(s) in the claim(s).

Claim(s) 8-9 recite(s) the limitation(s) "said combustible gas", throughout the claims. There is insufficient antecedent basis for said limitation(s) in the claim(s) as different combustible gases are recited prior to said limitation(s) (e.g. combustible gas supplied to a gas turbine (claim 1 line(s)

Art Unit: 1764

5-6), combustible gas supplied to a cooling unit and/or a cleanup unit (claim(s) 4) and combustible gas supplied to a gas turbine combustor (claim(s) 6).

The term(s) "high pressure" in claim(s) 9 is/are relative term(s) which render(s) said claim(s) indefinite. The term "high" is not defined by the claim(s), the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. How high should the air pressure be to read on the instant invention?

Claim(s) 14-15 recite(s) the limitation(s) "said high-temperature section", throughout the claim(s). There is insufficient antecedent basis for said limitation(s) in the claim(s) as different high-temperature sections are recited prior to said limitation(s) (e.g. line 2 of claim 10 and line(s) 2 of claim 14). Suggested correction is --said at least one high-temperature section--.

Claim(s) 15 recite(s) the limitation(s) "said higher-temperature steam", line(s) 2. There is insufficient antecedent basis for said limitation(s) in the claim(s).

13. Claim(s) 1-15 is/are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationship(s) of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationship(s) is/are:

- in claim 1, the relationship between a condenser and an element of the steam turbine system which performs expansion work (i.e. steam turbine) is omitted. What is the origin of the steam, which is being condensed by the condenser? Suggested correction is --a condenser to condense steam generated by the expansion work into water--;

Art Unit: 1764

- in claim 9, the relationship between an air compressor and other recited components of the integrated coal gasification combined cycle power generator is omitted. What is the destination and purpose of the high pressure air from said air compressor?

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claim(s) 1-6, 10-13 and 15, as best understood, is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Jahnke et al. (USP 5,345,756) in view of Rice (USP 4,571,935).

Regarding claim(s) 1, Jahnke et al. disclose(s) a similar integrated coal gasification combined cycle power generator, the generator comprising:

- a coal gasification system for producing a combustible gas from coal, wherein said gasification system supplies said combustible gas to a gas turbine system (C9/L51-C10/L51);
- said gas turbine system comprises a gas turbine for performing expansion work using said combustible gas, wherein said gas turbine supplies exhaust gas to a heat recovery system (C10/L40-51 & C11/L58-63);
- said heat recovery system performs heat exchange, wherein said heat recovery system uses said exhaust gas supplied from said gas turbine as a heat source, and is adapted to supply the steam generated in the heat exchange to a steam turbine system (C11/L58-C12/L10);

Art Unit: 1764

- said steam turbine system performs expansion work (C10/L40-51), said steam turbine system comprising a condenser to condense steam into water, said water being supplied to a heat exchanger in said coal gasification system, where said water is heated to steam (C12/L22-28).

While Jahnke et al. does disclose that said steam created in a heat exchanger in said coal gasification system is further heated by removing waste heat in another stage of the generator (C12/L28-40), the reference does not disclose said another stage being at least one section of the gas turbine system which is at a temperature higher than the temperature of said steam.

Rice teaches a combined cycle power generator wherein steam generated by steam turbine system is used to cool at least one section of the gas turbine system which is at a temperature higher than the temperature of said steam (high-temperature section) (Abstract) for the purpose of increasing system efficiency by providing effective cooling to said gas turbine and at the same time allowing for steam re-heating and recycle to the steam turbine system.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use steam generated by steam turbine system to cool at least one section of the gas turbine system which is at a temperature higher than the temperature of said steam, as taught by Rice, in the power generator of Jahnke et al., for the purpose of increasing system efficiency by providing effective cooling to said gas turbine and at the same time allowing for steam re-heating and recycle to the steam turbine system.

Regarding claim(s) 2-3, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above. Additionally Rice teaches the power generator wherein:

- a higher-temperature steam is produced from said steam after cooling said high-temperature section of the gas turbine system with said steam, said higher-temperature steam is recovered from

Art Unit: 1764

said high-temperature section of the gas turbine system and supplied to a steam turbine in said steam turbine system (Abstract); and

- said high-temperature section of the gas turbine is at least one of said gas turbine and a gas turbine combustor (Abstract).

Regarding claim(s) 4, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above. Additionally Jahnke et al. discloses the power generator further comprising:

- a gasification substance producing unit (156) in said coal gasification system for producing an oxygen gas (160) and a nitrogen gas (154) from air (155), said gasification substance producing unit being adapted to supply said oxygen gas to a coal gasification unit (1);
- wherein said coal gasification unit (1) is adapted to receive said oxygen gas (160) from said gasification substance producing unit (156) and to receive coal (7);
- said coal gasification unit burns the coal from said coal supplying unit with the oxygen gas from said gasification substance supplying unit, producing said combustible gas and introducing said combustible gas into a cooling unit (C9/L51-C10/L51);
- said cooling unit cools said combustible gas from said coal gasification unit, said cooling unit being in fluid connection with a gas cleanup unit (C9/L51-C10/L51); and
- said gas cleanup unit removes impurities from said combustible gas (C9/L51-C10/L51).

While Jahnke et al. does not explicitly disclose said coal gasification unit being adapted to receive coal from a coal supplying unit, a usage of a coal supplying unit is inherent in the disclosed power generator.

Regarding claim(s) 5, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above. Additionally Jahnke et al. discloses the power generator wherein:

- wherein said coal supplying unit employs nitrogen gas (C4/L5-18).

Art Unit: 1764

While Jahnke et al. does not explicitly disclose said nitrogen gas employed in said coal supplying unit originating from said gasification substance producing unit, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use at least part of nitrogen gas from said gasification substance producing unit in said coal supplying unit for the purpose of improving system economic by utilizing as a temperature moderator a gas stream which is available as a by-product of disclosed generator.

Regarding claim(s) 6, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above. Additionally Jahnke et al. discloses the power generator wherein:

- the nitrogen gas produced in said gasification substance producing unit is supplied to said gas turbine combustor, said nitrogen gas combined therein with said combustible gas (C11/L33-41).

Regarding claim(s) 10-11, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above. Additionally Rice teaches the power generator wherein:

- a higher-temperature steam is produced from said steam after cooling said high-temperature section of the gas turbine system with said steam (Abstract); and
- said high-temperature section of the gas turbine is at least one of said gas turbine and a gas turbine combustor (Abstract).

While Rice does not explicitly disclose higher-temperature steam being supplied to a heat recovery system, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use at least part of said higher-temperature steam in said heat recovery system for the purpose of improving system economic by utilizing a higher-temperature steam which is available as a by-product of disclosed generator for production of steam which can be used in high pressure steam turbine.

Art Unit: 1764

Regarding claim(s) 12, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above. Additionally Jahnke et al. discloses the power generator further comprising:

- a gasification substance producing unit (156) in said coal gasification system for producing an oxygen gas (160) and a nitrogen gas (154) from air (155), said gasification substance producing unit being adapted to supply said oxygen gas to a coal gasification unit (1);
- wherein said coal gasification unit (1) is adapted to receive said oxygen gas (160) from said gasification substance producing unit (156) and to receive coal (7);
- said coal gasification unit burns the coal from said coal supplying unit with the oxygen gas from said gasification substance supplying unit, producing said combustible gas and introducing said combustible gas into a cooling unit (C9/L51-C10/L51);
- said cooling unit cools said combustible gas from said coal gasification unit, said cooling unit being in fluid connection with a gas cleanup unit (C9/L51-C10/L51); and
- said gas cleanup unit removes impurities from said combustible gas (C9/L51-C10/L51).

While Jahnke et al. does not explicitly disclose said coal gasification unit being adapted to receive coal from a coal supplying unit, a usage of a coal supplying unit is inherent in the disclosed power generator.

Regarding claim(s) 13, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above. Additionally Jahnke et al. discloses the power generator wherein:

- wherein said coal supplying unit employs nitrogen gas (C4/L5-18).

While Jahnke et al. does not explicitly disclose said nitrogen gas employed in said coal supplying unit originating from said gasification substance producing unit, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use at least part of nitrogen gas from said gasification substance producing unit in said coal supplying unit for the

Art Unit: 1764

purpose of improving system economic by utilizing as a temperature moderator a gas stream which is available as a by-product of disclosed generator.

Regarding claim(s) 15, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above. Additionally Jahnke et al. discloses the power generator wherein:

- said higher temperature steam is supplied to said heat recovery system and to said steam turbine (C11/L58-C12/L10).

16. Claim(s) 7 and 14, as best understood, is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Jahnke et al. (USP 5,345,756) in view of Rice (USP 4,571,935), as applied to claim(s) 1-6, 10-13 and 15 above, and further in view of Perkins et al. (USP 5,160,096).

Regarding claim(s) 7 and 14, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above, but the reference(s) do/does not disclose gas turbine system comprising an air compressor that supplies air to at least one high-temperature section of the gas turbine system for the purpose of cooling said high-temperature section, producing a higher-temperature air nor said higher-temperature air is recovered after cooling said high-temperature section and supplied to said heat recovery system.

Perkins et al. teaches a gas turbine system comprising at least one air compressor that supplies air to at least one high-temperature section of the gas turbine system for the purpose of cooling said high-temperature section and producing a higher-temperature air (C2/53-61) for the purpose of improving system performance by allowing significant increase in the gas turbine inlet temperature.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use at least one air compressor that supplies air to at least one high-temperature section of the gas turbine system for the purpose of cooling said high-temperature section and producing a

Art Unit: 1764

higher-temperature air, as taught by Perkins et al., in the power generator of Jahnke et al., for the purpose of improving system performance by allowing significant increase in the gas turbine inlet temperature.

While Perkins et al. does not explicitly disclose said higher-temperature air being supplied to a heat recovery system, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use at least part of said higher-temperature air in a heat recovery system of Jahnke et al., as Jahnke et al. discloses utilizing hot gas streams available as a by-product of disclosed generator for the purpose of improving system economics (C11/58-63).

17. Claim(s) 8-9, as best understood, is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Jahnke et al. (USP 5,345,756) in view of Rice (USP 4,571,935), as applied to claim(s) 1-6, 10-13 and 15 above, and further in view of Iwata et al. (USP 5,327,718).

Regarding claim(s) 8-9, Jahnke et al. in view of Rice disclose(s) all of the claim(s) limitations as set forth above, but the reference(s) do/does not disclose power generator further comprising detector for detecting a calorific value of said combustible gas from said gas cleanup unit nor a controller for controlling the flow rate of said combustible gas and/or high pressure air from an air compressor based on said calorific value.

Iwata et al. teaches a gas turbine system comprising a detector for detecting a calorific value of combustible gas and a controller for controlling the flow rate of said combustible gas and/or air supplied to combustor based on said calorific value (C3/L32-48) for the purpose of improving combustor combustion efficiency and lowering NO_x production (C3/L60-64).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a detector for detecting a calorific value of combustible gas and a controller for controlling the flow rate of said combustible gas and/or air supplied to combustor based on said

Art Unit: 1764

calorific value, as taught by Iwata et al., in the power generator of Jahnke et al., for the purpose of improving combustor combustion efficiency and lowering NOx production.

18. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Conclusion

19. In view of the foregoing, none of the claims are allowed.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Basia Ridley, whose telephone number is (703) 305-5418. The examiner can normally be reached on Monday through Thursday, from 6:45 AM to 5:15 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marian Knode, can be reached on (703) 308-4311.


The fax phone number for Group 1700 is (703) 305-3599 (for Official papers after Final), (703) 305-5408 (for other Official papers) and (703) 305-6078 (for Unofficial papers). When filing a fax in Group 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Basia Ridley
Examiner
Art Unit 1764



BR
November 2, 2000



**HIEN TRAN
PRIMARY EXAMINER**